

Exhibit E

Planned Parenthood Federation of America, Inc. (collectively “Planned Parenthood” or “Defendants”) pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure.

These Initial Disclosures are made based on information currently available to Relator and are subject to supplementation or modification as more information becomes available. By making these Initial Disclosures, Relator is not representing that Relator is identifying every document, tangible thing or witness relevant to this law enforcement action. These Initial Disclosures are not intended to waive or prejudice any privileges or objections that Relator may have to any outstanding or subsequent discovery requests.

1. Rule 26(a)(1)(A)(i) Witnesses

Relator identifies and incorporate by reference all individuals listed in Planned Parenthood’s or Texas’s Initial Disclosures, any individual who is deposed in this case, any expert designated by any party in this case, and any individual who is mentioned in any of the discovery responses or documents produced in this case.

In addition, Relator discloses the following:

Relator Alex Doe regarding the facts alleged in Relator’s Complaint. This witness should be contacted through counsel for Relator.

Custodian of Texas Health & Human Services Commission records to verify Medicaid claims data showing Planned Parenthood Medicaid utilization. This witness should be contacted through counsel for Texas.

Custodian of Louisiana Department of Health records to verify Medicaid claims data showing Planned Parenthood Medicaid utilization.

2. Rule 26(a)(1)(A)(ii) Documents and Tangible Things

Relator identifies the following categories of documents and tangible things in their possession that Relator may use to support Relator's allegations in this case:

- A. Communications between Texas and Louisiana and Planned Parenthood relating to Planned Parenthood's participation in Texas and Louisiana Medicaid as an enrolled provider;
- B. Planned Parenthood's Texas and Louisiana Medicaid provider agreements;
- C. The Texas and Louisiana Medicaid Provider Procedures Manuals;
- D. Termination notices delivered to Planned Parenthood by the Health and Human Services Commission – Office of Inspector General and the Louisiana Department of Health;
- E. Documents relating to the lawsuits filed by Planned Parenthood in the Western District of Texas and Middle District of Louisiana in response to termination notices, and the subsequent appeals to the United States Court of Appeals for the Fifth Circuit;
- F. Documents relating to the lawsuit filed by Planned Parenthood in the District Court of Travis County, Texas, relating to the Texas notice of termination proceedings; and
- G. Documents and data relating to Planned Parenthood's claims to, and reimbursements received from Texas and Louisiana Medicaid.

3. Rule 26(a)(1)(A)(iii) Damages

Relator seeks:

- (a) That the United States be awarded damages in the amount of three times the damages sustained by the United States as a result of the unlawful acts of Defendants complained of herein, as provided by the False Claims Act, 31 U.S.C. §§ 3729, *et seq.*;
- (b) That civil penalties be imposed for each and every false claim that Defendants presented or caused to be presented to the United States;

- (c) That the State of Texas be awarded civil remedies in the amount of each payment provided to Defendants under the Medicaid program as a result of the unlawful acts complained of herein, plus two times the payment made by the State of Texas as a result of such unlawful acts, as provided by the TMFPA, Tex. Hum. Res. Code §§ 32.001 *et seq.*, and 36.052(a) and (b);
- (d) That civil penalties be imposed for each and every unlawful act that Defendants committed under the TMFPA;
- (e) That the State of Louisiana be awarded damages in the amount of each payment provided to Defendants under the Medicaid program as a result of the unlawful acts complained of herein, plus two times the damages sustained by the State of Louisiana as a result of such unlawful acts, as provided by the LMAPIL, La. Rev. Stat. §§ 46:438.3, *et seq.*;
- (f) That civil penalties be imposed for each and every unlawful act that Defendants committed under the LMAPIL;
- (g) That pre- and post-judgment interest be awarded along with reasonable attorney fees, costs, and expenses incurred by Relator in bringing and prosecuting this case.

4. Rule 26(a)(1)(A)(iv) Insurance

Not applicable.

5. Supplementation

Relator's Initial Disclosures are made without prejudice to Relator's right to change, amend or supplement these answers, and without prejudice to Relator's rights to assert privileges or objections to any of Planned Parenthood's discovery requests, and without prejudice to Relator's right to introduce at trial such additional evidence and documents as may be warranted by the facts in this law enforcement action.

Respectfully submitted.

/s/ Andrew B. Stephens

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CERTIFICATE OF SERVICE

I hereby certify that on March 9, 2022, I served the foregoing document on Defendants' counsel by email.

/s/ Andrew B. Stephens
Andrew B. Stephens